

Amendments to the Drawings:

The attached set of drawings (1 page) includes changes to Figure(s) 1a and 1b to indicate the figures as prior art. No amendments have been made to the other Figures in this application.

REMARKS

Claims 1 to 21 are pending. Claims 9 to 14 have been withdrawn from consideration. Claim 1 is currently amended to specify that the valve stem is an aerosol valve stem, support for which can be found throughout the application.

Reconsideration of the application is requested.

§ 103 Rejections

Claims 1, 2, 5-8 and 15-19 were rejected under 35 USC § 103(a) as being unpatentable over Bryant et al. 5,772,085 in view of Neff 4,522,374. Claims 20 and 21 were rejected under 35 USC 103 over Bryant et al. in view of Neff, and further in view of Hoeltz et al. 6,739,333. Claims 1-8, 15 and 18 were rejected over Phillips 4,601,301 in view of Neff. Applicant respectfully traverses.

All of the above rejections rely on Neff. However, Neff does not disclose an aerosol valve stem but rather a valve spool arrangement. It is a shuttling arrangement that has a different operation and purpose than an aerosol valve stem. The two are not the same and one of ordinary skill in the art of the present invention would not look to valve spool designs or have any reasonable expectation of success that a valve spool design would work in the context of an aerosol valve. The requirements of an aerosol valve, particularly a metering valve for medicinal aerosols, is highly specialized with unique requirements regarding leakage rates, interactions with formulation, force-to-fire, through-life dose consistency, and the like. The valve spool in Neff does not address these issues and one skilled in the art would not have been motivated with any reasonable expectation of success to apply valve spool teachings of Neff to an aerosol valve stem.

According, it is submitted that prima facie obviousness has not been established and withdrawal of the rejection is therefore requested.

In view of the above, it is submitted that the application is in condition for allowance and reconsideration and favorable action are requested.

Applicant requests a telephone interview to more fully understand the examiners position and advance this case to issuance.

Respectfully submitted,

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Date

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